

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.559 of 1998

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For Approval and Signature:

Hon'ble MR.JUSTICE H.L.GOKHALE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

MAHALAXMI FARMERS SERVICES CO-OP SOCIETY LTD.

Versus

STATE OF GUJARAT

Appearance:

MR RM CHHAYA for Petitioner
Ms. Katha Gajjar, ASSTT GOVERNMENT PLEADER for
Respondent No. 1, 2, 3

CORAM : MR.JUSTICE H.L.GOKHALE

Date of decision: 28/07/98

ORAL JUDGEMENT :

Heard Mr. R.M. Chhaya, learned advocate for the
petitioner and Ms. Gajjar, learned AGP for the
respondents.

2. Rule returnable forthwith. Ms. Gajjar, learned
AGP waives service of the rule on behalf of the
respondents. Both the learned advocates made their

submissions. The only point involved in this matter is that when the revision of the petitioner was admitted against the order of cancellation of the petitioner's licence, the application for stay was rejected without hearing the petitioner. The petitioner, therefore, prays that it may be heard and thereafter appropriate order be passed on merits.

3. In the circumstances the order of the Revisional Authority dated 20.1.1998 is interfered with and is set aside. The petitioner will be entitled to continue to hold the licence in the meanwhile. The authority concerned will hear and decide the Revision Application within four weeks from the date of receipt of writ of this judgment. Direct service is permitted. No order as to costs.

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